

Form No.J(2)

OD-1

**IN THE HIGH COURT AT CALCUTTA
CONSTITUTIONAL WRIT JURISDICTION
ORIGINAL SIDE**

**CORAM:
THE HON'BLE JUSTICE JAY SENGUPTA**

WPO/579/2024

TIYASA DUTTA.

-Versus-

UNIVERSITY OF CALCUTTA AND ORS.

Appearance:

Mr. Ranajit Chatterjee, Adv. Mr. Aniruddha Mitra, Adv.

...for the petitioner.

Mr. Nilotpal Chatterjee, Adv. Mr. Satyaki Banerjee, Adv.

...for Calcutta University.

HEARD ON : 02-07-2024

DELIVERED ON : 02-07-2024

1. This is an application praying for direction upon the respondents to permit the petitioner to appear in the 6th semester examination in the paper 'Molecular Spectroscopy and Photochemistry' (Course Code: 14) of B.Sc (Chemistry Honours) scheduled to be conducted by the respondent University on 8th July, 2024, upon issuance of admit card and completion of other formalities.
2. A copy of a communication received from the Officer-in-charge, Bethune College, as filed in Court on behalf of the petitioner, is taken on record.
3. Learned Counsel appearing for the petitioner submits as follows. The petitioner is a student of Chemistry Honours at Bethune College under the University of

Calcutta and she is scheduled to appear for her 6th semester examination. Initially, the petitioner had taken admission in B.SC (Botany Honours) in the respondent College in the year 2018. Subsequently, she switched over to B.Sc (Chemistry Honours) in the year 2019. This was well within the knowledge of the College and the University as they subsequently allowed the petitioner to sit for the examinations. However, this year the petitioner was not allowed to fill up the online form for sitting for the 6th semester examination. It is now being urged by the University that a student has to clear all the semester examinations within five years from the admission to a particular course and for the petitioner the said period has to be counted from 2018. This cannot be the position. Since she switched over to a new course i.e. B. Sc Honours in Chemistry, time period has to be counted from 2019.

4. Learned Counsel appearing on behalf of University relies on Clause 2 of the Regulation relating to Admission and Examination for the semester-wise Three Year Course under the University of Calcutta. First, the College did not inform about the switchover in time. Secondly, since the petitioner started pursuing the course from 2018, she would have to cleared all the examinations within five years from then.

5. The relevant portion of Clause 2 of the said Regulation of the University is quoted as under:

"A candidate pursuing a regular course of study for three-year semester-wise degree course shall have to clear all the semesters in all respects within a span of five years from the year of admission to the particular course and combination, failing which enrolment of the candidate shall stand cancelled."

6. From the above it is abundantly clear that the time period has to commence from the date on which a candidate takes admission to a particular course and combination. The University ought to be able to appreciate thta a course of B.Sc (Chemistry Honours) is different from a course of B.Sc (Botany Honours). Whether it be termed as a switchover or not, the petitioner did take admission to B.Sc (Chemistry Honours) since the year 2019. Therefore, the time period of

five years within which she has to clear all the semester examinations has to run from that point i.e. from the year 2019.

7. In view of the above and in the interest of justice, the respondent College and University authorities are directed to take appropriate and prompt steps to have manual admit card issued to the petitioner for sitting in the 6th semester examination. They shall permit and facilitate the petitioner for sitting in the said examination. By tomorrow, the College Authorities shall get in touch with the Controller of Examinations for such purpose.
8. From the tenor of the letter issued by the College authorities, it does not appear that they would be very pro-active in this matter. In view of the above, the College is specially directed to coordinate with the Controller of Examination, University of Calcutta forthwith so that the petitioner can be issued an admit card in time and that she can sit in the examination on 8th July, 2024.
9. With these observations, the writ petition is disposed of.
10. All parties shall act on a server copy of this order on the usual undertaking.
11. Parties shall be at liberty to communicate the gist of this order to the concerned authorities.

(JAY SENGUPTA, J.)

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